



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
MARTHA YODER
DIRECTOR

STEVEN H. HILFINGER
DIRECTOR

GENERAL INDUSTRY SAFETY STANDARDS COMMISSION MEETING

June 13, 2012 at 9:30 a.m.
General Office Building, 1st Floor, Conference Room B
7150 Harris Drive, Lansing, Michigan

MINUTES

COMMISSIONERS PRESENT:

Jennifer Ewing, Chairperson
Jeffrey Radjewski
Regina Meo

Dwayne Betcher
AJ Hale

Andrew Mosser
Jeffrey Spencer

COMMISSIONERS ABSENT:

William Borch, Vice Chairperson

Thomas Pytlik

DEPARTMENT PERSONNEL PRESENT:

Ron Ray, Director, Management & Technical Services Division
Daniel Dykstra, Program Manager, Standards Section
Adrian Rocskay, Director, General Industry Safety & Health Division
Toscha Densmore, Secretary, Standards Section
Dena Hendon, Department Analyst, Standards Section
Kristin Osterkamp, Senior Industrial Hygienist, Consultation, Education and Training Division

VISITORS:

Sandy Phillips, Consumers Energy

Ryan Wolschleger, OSHA, Industrial Hygienist

MISSION STATEMENT

The mission of the General Industry Safety Standards Commission is to provide the leadership and vision necessary to ensure a safe work environment for the people of Michigan.
The Commission involves employees and employers in the development of safety standards as it endeavors to continually examine and improve those standards for purpose, clarity, applicability, enforceability, and cost effectiveness. Our vision is to be a recognized leader in safety for the work environment for the people of Michigan by incorporating the changing needs of new technologies and methods into our standards.

Agenda Item #1—Call to Order and Roll Call

The June 13, 2012 General Industry Safety Standards Commission meeting was called to order by Chairperson Ewing at 9:35 a.m. Roll call was taken and a quorum was present.

Agenda Item #2—Approval of Minutes from the March 14, 2012 Meeting

A motion was made by Commissioner Betcher and was seconded by Commissioner Hale to approve the minutes of the March 14, 2012 Commission meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #3—MIOASHA Update—Ron Ray, Director, MTSD

Mr. Ron Ray gave apologies for Ms. Martha Yoder and Mr. Bart Pickelman not being in attendance.

MIOASHA will be holding the annual Take A Stand Day (TASD) on August 8, 2012. Mr. Ray encourages informing others of this great opportunity.

GI Part 92, Hazard Communication, changes have been made in the federal standard, and MIOASHA has to adopt the changes within 6 months to be as effective. MIOASHA is planning to adopt the federal changes by revising our current Hazard Communication standards. There are also provisions in Act 154 that cover Hazardous Communication, and staff are currently analyzing whether changes to the Act are also necessary.

The Standards Section is currently working on the Office of Regulatory Reinvention (ORR) project recommendations for rescinding of rules and has begun submitting requests to the ORR for rescinding of the recommended rules. We are starting with the Construction standards and will proceed with General Industry, Occupational Health, and then the older 4-digit health rules. Commissioner Ewing asked what the procedure is for rescinding of rules and Mr. Dan Dykstra went over the process. The Administrative Procedures Act (APA) governs the process. The rescissions will be published in the Michigan register and although there is not a requirement for public hearings, the ORR will take public input in regards to the rescissions. Commissioner Hale expressed his concerns with the wording of the ORR recommendations and informed the commission that he has been in contact with the Governors office administrative assistant who stated they have received over 900 calls in regards to the issue. When Mr. Hale expressed his feelings and how it was taken very personal and insulting, he was requested to put it in writing and submit to the ORR. Mr. Hale provided a phone number for other commission members who would like to call and provide their input.

Mr. Ray provided an update on the budget within MIOASHA. For the 2012 budget, all funding will be depleted. New field equipment is going to be purchased to update heat monitors. The 2013 budget is still unknown and MIOASHA is anticipating funding to be similar to that received for 2012 which would mean MIOASHA is unfortunately looking at an approximate 5% budget deficit equal to about 1.3 million dollars for 2013. This deficit is mostly from retirement costs and wages for MIOASHA staff. MIOASHA is currently coming up with contingency plans, such as cutting down on out of state travel, cutting costs on supplies, and not filling job vacancies.

MIOASHA is continuing to work on ways to connect with the industry, and in keeping up with modern technology, MIOASHA is now on Twitter and also has a Facebook page.

Agenda Item #4—Management & Technical Services Division Update—Ron Ray, Director

Mr. Ray provided an update on the Management and Technical Services Division. MIOASHA is continuing to move forward on updating our Integrated Management Information System (IMIS). IMIS is a database that is linked with Federal OSHA and holds all our inspection/investigation data. With the IMIS, MIOASHA never owned our own data. Federal OSHA is in the process of updating IMIS, called OIS. We have found a system that we are hoping to have implemented by the end of FY 13, and will cost approximately \$900,000, which will

tie into OIS. Having our own system will allow MIOSHA to own our data. We are looking for a name to give our new system. Mr. Rob Bonack from the Lansing OSHA office has suggested we use Wolverine. If commissioners have any suggestions for a name, send them to our office.

Mr. Ray gave an update on MIOSHA's CET Grants program. A workshop for potential grantees was held on May 17, 2012. The deadline for submitting an application is June 14, 2012. If a grantee is accepted to the program, they have to contribute at least 10% towards the project. Mr. Ray highlighted a few of the current grantees. Mr. Dykstra is overseeing the CET Grants Program and Ms. Laurie Lorish is acting as the Grant Administrator. Mr. Dykstra is also overseeing the MIOSHA Leadership Institute (MLI). The MLI is a course of classes the help to develop new internal MIOSHA leaders. All supervisors and managers within MIOSHA will complete the classes. The goal of the MLI is to open availability to all MIOSHA employees who are interested so that they will be ready to step up when the time comes for them to be leaders. Commissioner Hale provided some input on a program he is part of called Michigan LEAN Consortium, and will provide information to Mr. Dykstra for possible use in the future.

Agenda Item #5—Standards Section Update—Daniel Dykstra, Standards Program Manager

Mr. Dykstra provided a brief update on the ORR project. As stated earlier by Mr. Ray, the Standards section is currently working through the Construction standards making mostly rescissions based on the recommendations. A few of the recommendations for rescissions have not been able to be processed as MIOSHA rules must be as effective as Federal OSHA rules. Input from staff members is being welcomed on any rules that is felt would be a negative impact on employee safety if the rule were rescinded. MIOSHA administration will then decide whether to oppose the change.

GI Part 74, Fire Fighting; GI Part 58, Aerial Work Platforms; and GI Part 69, Compressed Gases: Acetylene, Hydrogen, Oxygen, and Nitrous Oxide are in the late stages of promulgation and are still moving forward. GI Part 33, Personal Protective Equipment in regards to latex was withdrawn. The work done is not a loss, and is being archived and the request can be resubmitted at a future date.

Agenda Item #6—General Industry Safety & Health Division Update—Adrian Rocskay, Director

Dr. Adrian Rocskay, gave an update on the General Industry Safety & Health Division (GISHD). Dr. Rocskay reviewed the Progress Toward Strategic & Performance Goals. Emphasis 1.1, the goal is to reduce by 20% the rate of worker injuries and illnesses in high-hazard industries. Emphasis 1.2, the goal is to reduce by 20% the rate of worker injuries, illnesses, and fatalities in workplaces experiencing high rates or with targeted hazards or exposures not covered by Emphasis 1.1. So far, in 2012, there have been four fatalities reported to GISHD. Emphasis 3.2A, the goal is to respond to 97% of complaints within ten working days for enforcement division, this goal is being met. Emphasis 3.2B, the goal is to initiate investigation of program-related fatalities and catastrophes within one working day, this goal is being met. Emphasis 3.2C, the goal is to decrease the average number of calendar days from opening conference date to citation issuance date by 10%, this goal is being met.

There are two significant enforcement issues in GISHD. The first case involves Severstal, and it was recently decided by an Administrative Law Judge that the entire case be dismissed. The second case involves Michigan Sugar, in which MIOSHA had a recent partnership expire.

Dr. Rocskay provided an update on the staffing within GISHD. GISHD has hired two new safety officers; one for Wayne County and the other for the thumb area of Michigan. Also, internally a position was filled for an Agricultural Specialist.

Commissioner Ewing asked a few questions in regards to the height requirements for stair risers. An interested party contacted her requesting clarification on what was thought to be a conflict between GI and CS

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requirements. Ms. Ewing wanted to know what the differences are in the General Industry standard versus the Construction Standard. Dr. Rocskay explained what the General Industry standard covers. Commissioner Spencer gave a few examples from Building Codes requirements. Dr. Rocskay stated that there are many different codes/standards that apply to buildings, and there are varying requirements. But they are not aware of any “conflicts” in the various requirements.

Agenda Item #7—Old Business

None

Agenda Item 8 – New Business

None

Agenda Item #9—Public Comment

None

Agenda Item #10—Next Meeting

Chairperson Ewing reminded the Commissioners that the next meeting will be Wednesday, September 12, 2012 at the General Office Building in Conference Room B.

Agenda Item #11—Adjournment

A motion was made by Commissioner Hale and was seconded by Commissioner Radjewski that with no further business before the Commission, the meeting be adjourned. **MOTION CARRIED UNANIMOUSLY.**

Jennifer Ewing, Chairperson

Date